

REMARKS

Claims 1-29 were pending of which Claims 1-10 and 14-29 were rejected and Claims 11-13 were objected to. Claim 1 has been amended and Claim 30 has been added.

Information Disclosure Statement

The Examiner refused to consider references 2-4 of the 1449, filed on February 27, 2004, apparently because there were no page numbers on the documents and the documents did not include a date. Applicant notes that the Form 1449 included the year of publication for references 2-4. Applicant is unaware of a requirement that the document itself include a date.

Applicant is attaching a copy of the 1449 and replacement copies of references 2-4, which were previously cited. The copies of references 2-4 include page numbers, and where possible, the date. Applicant requests that the Examiner initial and return the Form PTO-1449, indicating that the information has been considered and made of record herein. Applicant submits that no fee is necessary as these documents were previously cited. If a fee is required, the undersigned hereby authorizes the Commissioner to charge any required fee to Deposit Account Number 50-2263.

Should the Examiner have any further difficulty reviewing the cited references, Applicant requests that the Examiner contact the undersigned prior to issuing the next action.

Drawings

The Examiner objected to Figures 1 and 2 stating that they “should be designed by a legend such as –Prior Art—because only that which is old is illustrated.” Applicant respectfully disagrees and requests reconsideration. As discussed in the specification, Fig. 1 and Fig. 2 illustrate possible illumination systems that combine light from multiple colored LEDs with a condenser lens. Applicant has not characterized Fig. 1 or Fig. 2 as “Prior Art” devices in the specification. Applicant included Figs. 1 and 2 in the present application to explain disadvantages of these possible illumination systems, which were recognized by the inventors.

Accordingly, Applicant submits that Figs. 1 and 2 need not be labeled as prior art. Applicant respectfully requests reconsideration and withdrawal of this objection.

Specification

The Examiner objected to the disclosure and in particular to paragraphs 16-22, which refer to Figs. 1 and 2. As discussed above, Figs. 1 and 2 and the accompanying text in the present application explain the disadvantages of such possible illumination systems, which were recognized by the inventors. Applicant submits that the discussion relating to Figs. 1 and 2 properly belongs in the Detailed Description as the discussion is intended to assist in the understanding of the inventor's invention, and is not intended as a discussion of known prior art.

Accordingly, Applicant submits that paragraphs 16-22 are in the proper location and do not need to be relocated into the Background section. Moreover, Applicant notes that the Arrangement of Application as provided in 37 CFR 1.77 and MPEP 608.01(a) is only suggested and is not mandatory.

Applicant respectfully requests reconsideration and withdrawal of this objection.

Claim Rejections – 35 U.S.C. §112

Claims 1-13 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner stated that Claim 1 recites the term “approximate direction” which is a relative term rendering the claim indefinite.

While Applicant respectfully disagrees because one of ordinary skill in the art would understand that scope of the invention from the disclosure, as well as the general subject matter, Claim 1 has been amended to remove the limitation. Thus, no new matter has been added. Moreover, Applicant notes that the amendment to Claim 1 does not narrow the claim.

Applicant requests reconsideration and withdrawal of the present rejection.

Claim Rejections – 35 U.S.C. §102

Claims 1, 2, 4, 6-9, 14, 15, 17, 18, 19, 21, and 22 were rejected under 35 U.S.C. §102(e) as being anticipated by Song et al. (US 6,552,754) (“Song”). Applicant requests reconsideration.

Independent Claims 1 and 14 recite the use of “light emitting diodes”. Song, on the other hand, is directed to a “laser video projector using an optical pumping valve”, col. 4, lines 36-37. Song specifically discloses the use of a laser resonator (9, 19) and an optical

valve (8, 18) “for filtering the laser beam emitted from the laser resonator”. Col. 4, lines 46-51 and lines 59-64, Figs. 4 and 5. Song describes “[t]he optical pumping source 10 using a glow discharge principle includes a metal reflector 1, an inert gas 2, and a transparent conductive film 3.” Col. 4, lines 52-55, and see col. 4, lines 65-67. Song teaches that “the laser resonators 9 and 19 are vertical cavity surface emitting laser (VCSEL) diodes which are a Fabry-Perot type of laser.” As is well known in the art, a VCSEL is a type of laser, which requires population inversion and stimulated emission to generate light and has a resonant cavity. A light emitting diode is not a laser. Thus, Song does not teach or suggest the use of “light emitting diodes” as recited in independent Claims 1 and 14.

Accordingly, Applicants respectfully submit that Claims 1 and 14 are patentable over Song. Reconsideration and withdrawal of this rejection is respectfully requested. Claims 2, 4, 6-9, depend from Claim 1, and Claims 15, 17, 18, 19, 21, and 22 depend from Claim 14, and are, therefore, likewise patentable for at least the same reasons.

Moreover, Applicant points out that Claim 2 recites a collimator system including first, second and third collimators that collimate the light emitted by the respective first, second and third light emitting diodes. Song does not disclose a collimator system with collimators that collimate the light emitted by the lasers 21, 22, 23. Song is specifically related to a laser system, which does not require collimators.

Claim Rejections – 35 U.S.C. §103

Claims 5 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Song. Applicant respectfully requests reconsideration.

Claims 5 and 20 depend from Claims 1 and 14 discussed above. Accordingly, Claims 5 and 20 are patentable for at least the same reasons as Claims 1 and 14.

Claims 3, 10, 16, and 23-29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Song in view of Morgan (US 2005/0128441) (“Morgan”). Applicant respectfully requests reconsideration.

As discussed above, Song is related to a “laser video projector”, while Morgan is related to an LED device. There is no reason that one of ordinary skill in the art would be motivated to use the heat sink 219, to which is coupled a number of LEDs in a “Ring Array” (Morgan, paragraphs 0057-0058) with the laser system of Song.

The Examiner stated that the motivation to use such a heatsink is that “it is known in the projection art and it helps make the projection system more compact.” Applicant disagrees. The fact that something was known does not provide a motivation to use combine it. Moreover, it is unclear how or why including a heatsink from Morgan would “make the projection system more compact”. Applicant submits that the Examiner is engaging in impermissible hindsight and providing a rationalization for the suggested combination rather than a suggestion found explicitly or implicitly in the prior art.

Moreover, Applicant notes that independent Claim 23 recites “mounting a collimator system to the frame”. The Examiner cites Song as teaching mounting a collimator because in Fig. 9 of Song, the emitted light is illustrated as being collimated. Applicant again points out that Song is related to a laser system. As is well known in the art, lasers produce collimated light. Thus, Song’s illustration in Fig. 9 of the light emitted by lasers 21, 22, and 23 being collimated is not a disclosure or even a suggestion to “mount a collimator system to the frame” as recited in Claim 23.

Thus, Applicant submits that the Examiner has failed to make a prima facie case of obviousness. Accordingly, Claims 3, 10, 16, 23-29 are patentable over the combination of Song and Morgan.

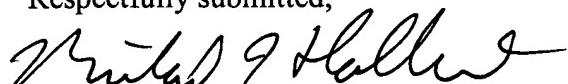
New Claim 30 is similar to Claims 1, 2, and 10. Thus, no new matter has been added. Applicant submits that Claim 30 is allowable for at least the same reasons as Claims 1, 2, and 10.

Claims 1-29 were pending. Claim 1 has been amended and Claim 30 has been added. For the above reasons, Applicants respectfully request allowance of Claims 1-30. Should the Examiner have any questions concerning this response, the Examiner is invited to call the undersigned at (408) 982-8202.

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Respectfully submitted,



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